

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
)
v.)
)
GUSTAVO KINRYS)
)

GOVERNMENT'S RESPONSE TO COURT ORDER (DKT NO. 287)

The Government respectfully submits this response to the Court's Order (Dkt. No. 287) concerning the calculation of restitution in this case and the allocation of restitution among the insurer-victims. Based on the Court's ruling and calculations, the Government submits that the appropriate total amount of restitution to be ordered is **\$6,537,309.59** and that the amount of restitution owed to each insurer-victim is as follows:

Insurer - Victim	Total
Medicare	\$ 971,324.59
BCBS	\$ 2,973,217.38
Tufts	\$ 1,085,324.09
Optum	\$ 869,343.58
Aetna	\$ 392,305.63
Beacon	\$ 245,794.32
TOTAL	\$6,537,309.59

Attached as Exhibit A hereto is a revised version of the previously submitted exhibit (Dkt. No. 265-3) showing the amounts paid for services not rendered by Gustavo Kinrys by insurer—revised to reflect the reduced total for the “excessive billing column” and *pro rata*

reductions for each insurer as set forth in the Court's order (Dkt. No. 287).¹ Attached as Exhibit B hereto is a revised version of the previously submitted exhibit (Dkt. No. 265-4) showing the amounts paid for services not rendered by Gustavo Kinrys *plus* legal fees eligible for restitution—revised to make the same adjustments to the “excessive billing” column and reducing the legal fees, again consistent with the Court’s order.

Respectfully Submitted,

UNITED STATES OF AMERICA,

JOSHUA S. LEVY
Acting United States Attorney

/s/ Christopher Looney
CHRISTOPHER R. LOONEY
Assistant U.S. Attorney

Dated: July 27, 2024

¹ The total amount paid for services not rendered by Gustavo Kinrys reflected in Exhibit A, \$6,527,391.19, also reflects his gain from the offense—and the amount of forfeiture to be entered in this case. The government will submit a revised proposed order of judgment reflecting this amount consistent with the Court’s Order (Dkt. No. 288).